

Article - Estates and Trusts

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§15–607.

Unless a user prohibited disclosure of digital assets or a court directs otherwise, a custodian shall disclose to the personal representative of the estate of the user a catalogue of electronic communications sent or received by the user and the digital assets of the user, other than the content of the electronic communications, if the personal representative provides the custodian:

- (1) A written request for disclosure in physical or electronic form;
- (2) A copy of the certificate of the user's death;
- (3) A copy of the letters of administration of the personal representative or court order appointing a special administrator; and
- (4) If requested by the custodian:
 - (i) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;
 - (ii) Evidence linking the account to the user;
 - (iii) An affidavit stating that disclosure of the user's digital assets is reasonably necessary for administration of the estate; or
 - (iv) A finding by the court that:
 1. The user had a specific account with the custodian, identifiable by the information specified in item (i) of this item; or
 2. Disclosure of the catalogue of electronic communications of the user is reasonably necessary for administration of the estate.

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